

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

QUINTEZ TALLEY, PENNSYLVANIANS : CIVIL ACTION  
WITH MENTAL ILLNESS and :  
MINORITIES OF PENNSYLVANIA :

v. :

COMMONWEALTH OF PENNSYLVANIA, :  
SUPREME COURT OF PENNSYLVANIA, :  
CITY OF PHILADELPHIA, DEFENDER'S :  
ASSOCIATION OF PHILADELPHIA, :  
COURT OF COMMON PLEAS OF :  
PHILADELPHIA, DISTRICT ATTORNEY'S :  
OFFICE OF PHILADELPHIA, DISTRICT :  
ATTORNEY SETH WILLIAMS, D.A. :  
LAWRENCE KRASNER, KENDRA :  
MCCRAE, Assistant District Attorney, :  
A.D.A. ZACHARY F. MATTIONI, ROBERT :  
LISTENBEE, MRS. ELLEN T. GREENLEE, :  
PUBLIC DEFENDER JOHN KONCHAK, :  
JUDGE GENECE E. BRINKLEY, :  
SUPERIOR COURT OF PENNSYLVANIA :  
JUDGE BOWES, JUDGE STABILE, :  
JUDGE COLINS, COURT OF COMMON :  
PLEAS, FAYETTE COUNTY, FAYETTE :  
COUNTY, PENNSYLVANIA, FAYETTE :  
COUNTY'S DISTRICT ATTORNEY'S :  
OFFICE, A.D.A. SEAN LEMENTOWSKI, :  
ADA WENDY O'BRIEN, PRODEN & :  
O'BRIEN, LLC, JUDGE LINDA R. :  
CORDARO, CENTRE COUNTY :  
COURTHOUSE, CENTRE COUNTY, :  
PENNSYLVANIA, JUDGE THOMAS KING :  
KISTLER, JONATHAN D. GRINE (Judge), :  
PAMELA A. RUEST, BRADLEY P. :  
LUNSFORD, J. MICHAEL WILLIAMS, :  
ALLEN SINCLAIR, STEVEN LACHMAN, :  
DISTRICT ATTORNEY'S OFFICE OF :  
CENTRE COUNTY, CENTRE COUNTY'S :  
DEFENDER ASSOCIATION, D.A. STACY :  
PARKS-MILLER, ADA LINDSEY :  
CATHERINE FOSTER, ADA DANIEL :  
MCKENRICK, CHIEF DEFENDER DAVID :  
CROWLEY, PUBLIC DEFENDER CASEY :

M. MCCLAIN, PENNSYLVANIA DEPT. OF :  
CORRECTIONS, TAMMY FERGUSON, :  
LT. WILLIAM FOSTER, CAPT. GLENN :  
IRWIN, THOMAS SUCCHETA, ROBERT :  
HEWITT, THOMAS GERALD LYKENS, :  
DAVID PATRICK LINK, MICHAEL :  
WORSTELL, MICHAEL LEFEBVRE, :  
BENARD KARABINOS, ROBERT :  
WILLIAMSON, STEPHEN PROUDFIT, :  
AMY SCHAUP, CAPT. SALVAY, CAPT. :  
WILLIAM TOFT, LT. JOSHUA POSKA, :  
LT. FREDRICK ST. JOHN, SGT. LOUIS :  
DOBISH, C.O. CHAD HARBAUGH, C.O. :  
ROGER, C.O. ANDREW HIGINBOTHAM, :  
UNKNOWN ADA, PENNSYLVANIA :  
STATE POLICE, TPR. ROBERT SCHMID, :  
TPR. BRIAN WAKEFIELD, TPR. :  
THOMAS STOCK, HARRISBURG :  
REGIONAL LABORATORY, GABRIEL :  
LLINAS, JEFFREY A. WAGNER, :  
PUBLIC DEFENDER MATT JAYNES, :  
DA RICHARD BOWER, FAYETTE :  
COUNTY'S DEFENDER ASSOCIATION, :  
CHIEF DEFENDER OF FAYETTE :  
COUNTY'S DEFENDER ASSO. and :  
FAYETTE COUNTY : NO. 22-2328

### ORDER

**NOW**, this 23rd day of March, 2023, upon consideration of Plaintiff Quintez Talley's *pro se* Complaint (ECF No. 1), the Motion to Proceed *In Forma Pauperis* (ECF No. 5), and the Motion for Class Certification (ECF No. 7) it is **ORDERED** that:

1. The Complaint is **DISMISSED** in its entirety as frivolous and for failure to state a claim, pursuant to 28 U.S.C. § 1915A(b)(1) and 28 U.S.C. § 1915(e)(2)(B)(i) and (ii), as follows:

a. Claims barred by *Heck v. Humphrey*, 512 U.S. 477 (1994) are **DISMISSED WITHOUT PREJUDICE** to Talley filing a new case only in

the event his underlying convictions are reversed, vacated, or otherwise  
invalidated; and

b. All other claims are **DISMISSED WITH PREJUDICE**.

2. The Motion to Proceed *In Forma Pauperis* and the Motion for Class  
Certification are **DENIED AS MOOT**.

  
TIMOTHY J. SAVAGE, J.